

CA P E S S O K O L

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May 23, 2019

Regional Freedom of Information Officer
U.S. EPA, Region 2
290 Broadway, 26th Floor
New York, NY 10007-1866

Re: Freedom of Information Act Request – Lower Passaic River

Dear FOIA Administrator:

Pursuant to the Freedom of Information Act, 5 U.S.C. Section 552, I request that all documents relating to the following be provided to me:

1. Any food web models developed, evaluated, proposed, considered, approved, adopted, or rejected in connection with the human health risk assessment and ecological risk assessment for the Lower Passaic River and all supporting documents thereto, including but not limited to any studies, reports, figures, tables, data, models, or model inputs;
2. The consideration, approval, adoption, or rejection of any food web models developed by John Toll;
3. EPA's determination that peer review of John Toll's food web model must occur and if it occurred, the results of that peer review;
4. Windward Environmental, 2011b. "Lower Passaic River Restoration Project. Lower Passaic River Study Area RI/FS. Habitat identification survey data report for the Lower Passaic River Study Area fall 2010 field effort." Draft. Prepared for Cooperating Parties Group, Newark, NJ. Windward Environmental LLC, Seattle, WA. June 17, 2011.
5. Windward Environmental, 2011c. "Fall 2009 Benthic Invertebrate Community Survey and Benthic Field Data Collection for the Lower Passaic River Study Area." Draft. Prepared for Cooperating Parties Group, Newark, New Jersey. Windward Environmental LLC, Seattle, WA. June 17, 2011.

6. Windward Environmental, 2010a. "Lower Passaic River Restoration Project. Lower Passaic River Study Area RI/FS. Benthic invertebrate community survey and benthic field data collection report for the Lower Passaic River Study Area Fall 2009 field effort." Draft. Prepared for Cooperating Parties Group, Newark, NJ. Windward Environmental LLC, Seattle, WA. August 23, 2010.
7. Windward Environmental, 2010b. "Spring and Summer 2010 Benthic Invertebrate Community Survey Data for the Lower Passaic River Study Area." Draft. Prepared for Cooperating Parties Group, Newark, New Jersey. Lower Passaic River Restoration Project. Lower Passaic River Study Area RI/FS. Windward Environmental LLC, Seattle, WA. June 17, 2010.
8. Windward Environmental, 2010c. "Fish and Decapod Field Report for the Late Summer/Early Fall 2009 Field Effort." Final. Prepared for Cooperating Parties Group, Newark, New Jersey. Windward Environmental LLC, Seattle, WA. September 14, 2010.
9. Windward Environmental, 2009a. "Lower Passaic River Restoration Project. Lower Passaic River Study Area RI/FS. Quality Assurance Project Plan: Fish and Decapod Crustacean Tissue Collection for Chemical Analysis and Fish Community Survey." Final. Prepared for Cooperating Parties Group, Newark, New Jersey. Windward Environmental LLC, Seattle, WA.
10. Windward Environmental, 2009b. "Lower Passaic River Restoration Project. Quality Assurance Project Plan: Surface Sediment Chemical Analyses and Benthic Invertebrate Toxicity and Bioaccumulation Testing." Final. Revision Number:0, October 8, 2009.

As used in this request, the words "any" and "all" mean each and every. The term "relating to" means in whole or in part to discuss, describe, reflect, memorialize, contain, analyze, study, report on, comment on, evidence, constitute, embody, identify, state, consider, recommend, set forth, concern, address, deal with or in any way pertain to.

In addition, the request for models and model inputs shall include: (1) working electronic copy(ies) of the food web model(s), (2) instructions related to running the model(s), (3) uncompiled version(s) of the model(s) (electronic format and paper copy of the model code), (4) identification of any applets that are required to successfully run the model(s), such as VBA code libraries, (5) a complete description the steps required to run the model(s) in sufficient detail to allow another analyst to duplicate the steps and/or modules, in another software program, (6) copies of model validation runs, (7) copies of the of the raw data and description(s) of the interim steps used in the derivation of model inputs, (8) formal model documentation (including detailed

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User's Guide, Technical Guidance, peer-reviewed papers, etc.) that describes the initial development and subsequent evolution of the modelling frameworks, and (9) any QA/QC (debugging) assessments performed on the models related to their use in the Lower Passaic River.

I have already reviewed the administrative records online for the above-requested reports and was not able to locate the requested reports.

Please provide a copy of the records in their native electronic format on USB or other electronic media. When providing electronic records, please include metadata if reasonably available.

In order to help you to determine my status to assess fees, I am an attorney seeking information for use on behalf of my client's business. Please supply the requested records without informing me of the cost if the fees do not exceed \$500.00, which I agree to pay as necessary. Otherwise, I ask that you notify me of any search or duplication costs exceeding \$500.00, so that I may decide which records I want copied.

If you are not the appropriate contact for this FOIA request, please let me know so that I may direct this request to the appropriate contact. If you deny any part of this request, please cite each specific reason that you believe justifies your refusal to release the information with respect to each document or category of documents refused. Please also notify me of any appeal procedures available under the law.

If you have questions, please contact me at your convenience. Thank you in advance for providing the requested information.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa N. DeBord". The signature is fluid and cursive, with the first name "Lisa" and last name "DeBord" clearly distinguishable.

Lisa N. DeBord